

PART 628—ATLANTIC BLUEFISH FISHERY

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AUTHORITY: 16 U.S.C. 1801 *et seq.*

SOURCE: 55 FR 18733, May 4, 1990, unless otherwise noted.

Subpart A—General Provisions

§ 628.1 Purpose and scope.

The regulations in this part implement the Fishery Management Plan for the Bluefish Fishery, which was prepared and adopted by the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission in cooperation with the New England and South Atlantic Fishery Management Councils. These regulations govern the conservation and management of Atlantic bluefish in the EEZ.

§ 628.2 Definitions.

In addition to the definitions in the Magnuson Act and in § 620.2 of this chapter, the terms used in this part have the following meanings:

Bluefish means *Pomatomus saltatrix*. Bluefish, for the purposes of this part, refers to bluefish in the Atlantic EEZ from the eastern coast of Florida to Maine.

Charter or party boat means any vessel that carries passengers for hire to engage in fishing.

Commission means the Atlantic States Marine Fisheries Commission.

Committee means the Bluefish FMP Review and Monitoring Committee of the Council.

Council means the Mid-Atlantic Fishery Management Council.

Fishery Management Plan (FMP) means the Fishery Management Plan for the Bluefish Fishery and any amendments thereto.

Fishing trip means a period of time during which fishing is conducted, beginning when the vessel leaves port and ending when the vessel returns to port.

NEFC means the Northeast Fisheries Center, NMFS, Water Street, Woods Hole, MA 02543.

Pair trawl means a net attached to and towed by two vessels.

Person who receives bluefish for commercial purposes means any person (excluding representatives of governmental agencies) engaged in the sale, barter, or trade of bluefish received from a fisherman, or one who transports bluefish from a fisherman.

Purse seine means a floated and weighted net that is closed by means of a draw string threaded through rings attached to the bottom of the net.

Regional Director means the Director, Northeast Region, NMFS, 1 Blackburn Drive, Gloucester, MA 01930, telephone 508-281-9243, or a designee.

Regulated fishery means any fishery of the United States which is regulated under the Magnuson Act.

Runaround gillnet or encircling gillnet means a rectangular net placed upright in the water column in a circular fashion with an opening equal to or less than $\frac{1}{4}$ the length of the net or with an opening greater than $\frac{1}{4}$ the length of the net if the opening is obstructed in any fashion.

Vessel length means that length specified on State registration or U.S. Coast Guard documentation.

§ 628.3 Relation to other laws.

(a) The relation of this part to other laws is set forth in § 620.3 of this chapter and paragraph (b) of this section.

(b) Additional regulations governing fishing for bluefish by foreign vessels in the EEZ are set forth in 50 CFR part 611, subparts A and C.

§ 628.4 Permits and fees.

(a) *General.* (1) Any person selling bluefish harvested in the EEZ must have either a valid permit issued under this part or a valid State of landing permit to sell bluefish.